

## **REMARKS**

### **I. Introduction**

With the cancellation herein without prejudice of claim 26, claims 23 to 25 and 27 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Objections to the Specification**

The Specification was objected to on several grounds. As regards the status of parent applications, the Examiner will note that the "CROSS-REFERENCE TO RELATED APPLICATIONS" section has been amended herein to refer to U.S. Patent No. 6,682,433, which issued from the parent application, i.e., U.S. Patent Application Serial No. 09/824,983. No new matter has been added.

As regards the allegations of lack of antecedent bases of certain terms and phrases used in claims 23, 26 and 27, it is believed and respectfully submitted that the claims as amended herein without prejudice find sufficient antecedent basis in the Specification. The Specification has been amended herein without prejudice to mention that securing rings are arranged in corresponding grooves in an inner ring 37, which is plainly illustrated in, for example, Figure 11. No new matter has been added.

In view of the foregoing, withdrawal of all objections to the Specification is respectfully requested.

### **III. Objection to Claim 27**

As regards the objection to claim 27, the Examiner will note that claim 27 has been amended herein to correct the noted typographic error. Withdrawal of this objection is therefore respectfully requested.

### **IV. Rejection of Claims 23 and 25 to 27 Under 35 U.S.C. § 112**

Claims 23 and 25 to 27 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. As an initial matter, claim 26 has been canceled herein without prejudice, thereby rendering moot the present rejection with respect to claim 26. As regards claims 23, 25 and 27, it is believed and respectfully submitted

that these claims as amended herein without prejudice fully comply with the definiteness requirement of 35 U.S.C. § 112. Withdrawal of this rejection is therefore respectfully requested.

**V. Rejection of Claims 23, 25 and 27 Under 35 U.S.C. § 102(b) -- Margerie**

Claims 23, 25 and 27 were rejected under 35 U.S.C. § 102(b) as anticipated by PCT International Published Patent Application No. WO 99/45287 ("Margerie"). It is respectfully submitted that Margerie does not anticipate the present claims as amended herein for at least the following reasons.

As an initial matter, the Examiner will note that claim 23 has been amended herein without prejudice to recite that at least one securing ring is arranged in a respective groove in an inner ring, in a recess of which a ball head of a ball joint is pivotably mounted. Support for this amendment may be found, for example, in Figure 11. The Office Action equates bulges 26 illustrated in Figure 2 of Margerie with securing rings. However, it is plainly apparent from Figure 2 that bulges 26 are not arranged in a respective groove in an inner ring. Accordingly, it is respectfully submitted that Margerie does not disclose, or even suggest, all of the features recited in amended claim 23. As such, it is respectfully submitted that Margerie does not anticipate amended claim 23.

Claim 27 has been amended herein in analogous manner as claim 23. Accordingly, it is respectfully submitted that Margerie does not anticipate amended claim 27.

As for claim 25, which depends from claim 23 and therefore includes all of the features recited in claim 23, it is respectfully submitted that Margerie does not anticipate dependent claim 25 for at least the reasons more fully set forth above in support of the patentability of claim 23.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VI. Rejection of Claims 23 and 27 Under 35 U.S.C. § 102(b) - Busch**

Claims 23 and 27 were rejected under 35 U.S.C. § 102(b) as anticipated by German Published Patent Application No. 42 40 144 ("Busch"). It is respectfully submitted that Busch does not anticipate the present claims as amended herein for at least the following reasons.

Claim 23 has been amended herein without prejudice to recite that at least one securing ring, which is arranged in a respective groove in an inner ring in a region of a cylindrical subregion of the inner ring, extends radially into a recess of the inner ring in the region of the cylindrical subregion. Support for this amendment may be found, for example, in Figure 11. Claim 27 has been amended herein without prejudice in an analogous manner as claim 23. The Office Action equates component 9 illustrated in Figure 4 of Busch with a securing ring. However, it is plainly apparent from Figure 4 that component 9 does not extend radially into a recess of the component that is unnumbered in Figure 4 but that is indicated by reference numeral 3 in Figures 1 to 3. Accordingly, it is respectfully submitted that Busch does not disclose, or even suggest, all of the features recited in amended claims 23 and 27. As such, it is respectfully submitted that Busch does not anticipate amended claims 23 and 27.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VII. Rejection of Claims 23 and 25 to 27**  
**Under 35 U.S.C. § 102(b) - Ricks et al.**

Claims 23 and 25 to 27 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,658,199 ("Ricks et al."). It is respectfully submitted that Ricks et al. do not anticipate the present claims as amended herein for at least the following reasons.

As an initial matter, claim 26 has been canceled herein without prejudice, thereby rendering moot the present rejection with respect to claim 26.

As indicated above, claim 23 has been amended herein without prejudice to recite that at least one securing ring, which is arranged in a respective groove in an inner ring in a region of a cylindrical subregion of the inner ring, extends radially into a recess of the inner ring in the region of the cylindrical subregion, and claim 27 has been amended herein without prejudice in an analogous manner as claim 23. The Office Action equates rings 8, 18 described by Ricks et al. with securing rings. However, it is plainly apparent from, e.g., Figures 1A, 1B and 2 that rings 8, 18 do not extend radially into a recess of roller carrier 4. Accordingly, it is respectfully submitted that Ricks et al. do not disclose, or even suggest, all of the

features recited in amended claims 23 and 27. As such, it is respectfully submitted that Ricks et al. do not anticipate amended claims 23 and 27.

As for claim 25, which depends from claim 23 and therefore includes all of the features recited in claim 23, it is respectfully submitted that Ricks et al. do not anticipate dependent claim 25 for at least the same reasons more fully set forth above in support of the patentability of claim 23.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.


### VIII. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

KENYON & KENYON

Date: August 26, 2005 By:

  
Richard L. Mayer  
Reg. No. 22,490  
One Broadway  
New York, New York 10004  
(212) 425-7200  
CUSTOMER NO. 26646  
*NY 42,194  
Clifford A.  
Ulrich*